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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**IN RE CADBURY PLC SHAREHOLDER  
LITIGATION**

**THIS DOCUMENT RELATES TO:  
ALL CASES**

**DOCUMENT ELECTRONICALLY  
FILED**

Civil Action No. 09-5006 (DMC) (MF)

**DEFENDANTS' NOTICE OF MOTION  
TO DISMISS**

**Hearing Date: January 21, 2010**

Filed Under the Briefing Schedule Set by the  
Court at the January 5, 2010 Hearing

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**PLEASE TAKE NOTICE** that the individual defendants and nominal defendant Cadbury plc (collectively, "Defendants") shall move before the Honorable Dennis M. Cavanaugh, United States District Judge, at the Frank R. Lautenberg United States Post Office & Courthouse Building in Newark, New Jersey, under *forum non conveniens* or, alternatively, Rule 12(b)(6) of the Federal Rules of Civil Procedure, for an Order granting Defendants' motion to dismiss all claims asserted in the Amended Verified Shareholder Class Action and Derivative Complaint, dated December 23, 2009, with prejudice.

**PLEASE TAKE FURTHER NOTICE** that in support of Defendants' motion to dismiss, Defendants will rely upon the accompanying (1) Brief, (2) the Declaration of David Watkins, and (3) the Declaration of Douglas S. Eakeley. Pursuant to Local Rule 7.1(e), a proposed Order has been submitted with this motion.

**PLEASE TAKE FURTHER NOTICE** that oral argument is hereby requested.

Respectfully submitted,

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By: /s Douglas S. Eakeley

Dated: January 11, 2010